

HOUSE COMMUNICATIONS

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TOMORROW'S FORECAST

- * The House will reconvene for its 18th Legislative Day on Tuesday, February 14, at 10:00 am.
- * 6 bills are expected to be debated on the floor.

GEORGIA HOUSE OF REPRESENTATIVES

DAILY REPORT

MONDAY, FEBRUARY 13, 2006

LEGISLATIVE DAY# 17

TODAY ON THE FLOOR

Speaker of the House Glenn Richardson gaveled the House into session today, at 1:00 pm, for the 17th legislative day of the 2nd Session of the 148th General Assembly.

AGREE/DISAGREE

HB 246 - Prescription drug orders; electronic transmission; amend provisions

- A BILL to be entitled an Act to amend Code Section 26-4-80 of the Official Code of Georgia Annotated, relating to dispensing prescription drugs, electronically transmitting drug orders, refills, and Schedule II controlled substance prescriptions, so as to change certain provisions relating to the electronic transmission of prescription drug orders; to provide for related matters; to repeal conflicting laws; and for other purposes.
- Authored by: Rep. David Graves
- House Committee: Regulated Industries
- *House Disagrees to the Senate Amendment of the bill. The bill has been sent back to the Senate for it to cede from or insist on its position. If the Senate insists, a Conference Committee will be called.*

DEBATE CALENDAR

HB 400 - Teachers Retirement; postretirement benefit increase; provisions

- Bill allows that all members of TRS who retired prior to July 1, 1974 with at least 20 years of creditable service would receive a benefit increase of 10%. If retired prior to July 1, 1974 with at least 10 years but less than 20 years, the benefit shall be reduced by 5% for each year less than 20 years. If less than 10 years no increase will be given. Members retiring from July 1, 1974 through June 30, 1982 shall receive 6% increase. Members retiring July 1, 1982 through June 30, 1987 shall receive 2%. No postretirement benefit increase is authorized for any person who retired after June 30, 1987. Any county, municipal, or local board of education is authorized, but not required, to provide a postretirement benefit increase as provided by this bill to any teacher who retired under this code section provided that: the actuary for the fund certifies that such increase would not result in any unfunded accrued liability or the affected political subdivision appropriate sufficient funds to cover the actuarial cost of granting such benefit.
- Authored by: Rep. Brooks Coleman
- House Committee: Retirement
- Rules Committee: Structured
- Amendments: None
- Y: 164 N: 0

HB 959 - Mallory's Act; permanently disabled persons; parking permits; amend provisions

- House Bill 959 amends Code Section 40-6-222 of the Official Code of Georgia Annotated, relating to parking permits for persons with disabilities, to change certain provisions relating to permits for permanently disabled persons; to provide for permits issued to permanently disabled minors; and to provide a short title.

Section 1 states that this Act should be known and cited as "Mallory's Act." Section 2 strikes subsection (c) which in turn says that the department shall issue a permanent permit to any person who is obviously permanently disabled and to any other permanently disabled person upon presentation of an affidavit of a practitioner of the healing arts stating that the specific person is permanently disabled. The affidavit shall further state the specific disability that limits the person to walk. The department shall also issue a permanent permit to an institution that operates vehicles that are primarily used for the transportation of individuals with disabilities. The institution needs to present certification for the use of the vehicles. The institution shall receive permits only for the number of vehicles used and need to put the permits on the driver's side of the dashboard. From one renewal period to another the color of the permit will vary in color. For a permit issued to a minor, it should display the word 'minor' and show an expiration date the same as the date of his or her eighteenth birthday or two years from the date it is issued, whichever occurs last. The print of the expiration date must be legible.

- Authored by: Rep. Gene Maddox
- House Committee: Human Relations & Aging
- Rules Committee: Open
- Amendments: None
- Y: 166 N: 0

HB 1054 - Controlled substances; certain classes; change provisions

- Amend Title 16, Chapter 13 with regard to list of schedule I and IV controlled substances. Designates additional drugs in subsection (b) of 16-13-71 as "dangerous drugs."
- Authored by: Rep. Ron Stephens
- House Committee: Judiciary Non-Civil
- Rules Committee: Open
- Amendments: None
- Y: 164 N: 0

HB 1069 - Drivers' licenses; young driver tracking service; provide

- This bill would establish a youthful driver tracking service for the purpose of allowing parents to monitor their children's driving habits. This would be accomplished by one of two methods; either the display of a toll free number on the Child's vehicle for other drivers to call and leave comments, or the use of a GPS tracking device to provide real time data. Though the youthful driver tracking service would be available to any parent wishing to use it, it would also be mandated, as a part of sentencing, for certain crimes and driving violations.
- Authored by: Rep. Jack Murphy
- House Committee: Motor Vehicles
- Rules Committee: Modified Open
- Amendments:
- *Motion to Table Adopted*

HB 1096 - Pike County; superior courts; change certain terms

- Amends 15-6-3 so as to change the term in the Pike County portion of the Griffin Circuit to ending on the third Monday in October.
- Authored by: Rep. Mack Crawford
- House Committee: Judiciary
- Rules Committee: Modified Structured
- Amendments: None
- Y: 165 N: 0

HB 1106 - Weight of vehicle and load; hauling of construction aggregates; include

- A Bill to be entitled an Act to amend code Section 32-6-26 of the O.C.G.A., relating to weight of vehicle and load, so as to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

- Authored by: Rep. Tom Graves
- House Committee: Transportation
- Rules Committee: Open
- Amendments: None
- Y: 159 N: 4

* The House will reconvene Tuesday, February 14 at 10:00 am for its 18th Legislative Day of the 2nd Regular Session of the 148th General Assembly.

RULES COMMITTEE

The Committee on Rules today has fixed the calendar for the 18th Legislative Day, Tuesday, February 14, as enumerated below, and can be called at the pleasure of the Speaker of the House.

DEBATE CALENDAR

HB 661 - School clubs; local boards provide information to parents; policies and procedures

- The bill would require local boards of education to allow parents/guardians to opt their child out of clubs or organizations. A yearly description of these must be given. The student handbook can give these descriptions.
- Authored by: Rep. Bobby Reese
- House Committee: Education
- Rules Committee: Open

HB 972 - Teacher certification renewal; require test in basic computer skill competency

- The bill relates to teacher certification. The Professional Standards Commission shall not require a course in computer skill competency or the InTech program but one in basic computer skill competency for teacher certification renewal. The test shall be made available to be taken onsite at the school where the certificated personnel are assigned. Local systems shall appoint individuals at each school to serve as proctors for those taking the test.
- Authored by: Rep. David Casas
- House Committee: Education
- Rules Committee: Open

HB 1184 - Herty Foundation; change name

- This bill changes the name of the Herty Foundation to the Herty Advanced material Development Center and modifies its purpose. It also creates a subsidiary corporation for the foundation.
- Authored by: Rep. Ron Stephens
- House Committee: Economic Development & Tourism
- Rules Committee: Open

HB 1213 - Poultry; disposal; provide

- This bill comes in response to the bird flu, and other state departments of agriculture are all looking at similar legislation. The purpose of this bill is to prevent the spread of bird flu and other poultry diseases. In cases where poultry is available live at market, this legislation would prevent the bird from being slaughtered on premises. This would minimize the ability of bird flu to spread and the risks to the poultry industry in Georgia would be reduced. Section 1 updates the statute to be consistent with the dead animal disposal act. Section 2 prohibits the slaughter of poultry on premises of a poultry dealer, broker, or market operator. Supported by the Georgia Department of Agriculture. Supported by the Georgia Poultry Federation
- Authored by: Rep. Tom McCall
- House Committee: Agriculture & Consumer Affairs

- Rules Committee: Open

HB 1238 - Wire transmission; money; illegal immigrant fee; provide

- HB 1238 provides for an “Illegal Immigrant Fee Act,” and would allow taxing wire transmissions to a foreign country by 5% of the amount transmitted. This bill would apply to authorized agents of a licensee or any money transmission business, excluding banks. An important intent of the bill is that the wire transmission tax be applied to indigent care programs. The fee would not apply if the customer presents adequate proof of US citizenship or that the customer is legally present in the US. The standard of such proof of citizenship is the list of acceptable documents as defined by the Department of Homeland Security. Any person who evades the fee would be guilty of a misdemeanor for the first offense; for the second or subsequent offense, a person would be guilty of a misdemeanor of a high and aggravated nature.
- Authored by: Rep. Tom Rice
- House Committee: Banks & Banking
- Rules Committee: Open

HB 1240 - Workers' compensation; certain requirements; provide

- Requires that any physician treating a worker’s compensation claim comply with the provisions against self-referral in Chapter 1B of Title 43. Requires that an employee seeking compensation for mileage submit his or her claim within one year of the date of incurring the expenses or forfeit the right to collect such compensation. Increases the total compensation payable to a surviving spouse who is the sole dependant from \$125,000.00 to \$150,000.00. Reserves OCGA 43-1B-7 related to physician referrals
- Authored by: Rep. Mike Coan
- House Committee: Industrial Relations
- Rules Committee: Open

**** The Rules Committee will next meet on Tuesday, February 14 at 9:00 am to set the Debate Calendar for the 19th Legislative Day.***

COMMITTEE ACTION REPORT

INSURANCE

Committee met to assign bills to subcommittees.

JUDICIARY (NON-CIVIL)

HB 1145 - Juvenile proceedings; mental health; change provisions

- This bill reorganizes and makes substantive changes to the Juvenile Code as it pertains to mental competency. The bill redefines “dependent” as a child not mentally competent to stand trial, and that age can be used as a factor for determining competency. “Mentally ill” and “Mental retardation” are added as definitions. The child’s parent or legal guardian has been added to the persons who may motion the court to stay proceedings in order to have a mental evaluation done – if an evaluation is to be performed the court will be required to appoint an attorney for the child if he or she is not yet represented. The bill adds a recommendation for appropriate treatment to the information that mental health examiners should include in their reports. The burden of proving mental incompetence will be on the child. The substitute removes the language that requires that any child found not competent shall not be held in a secure facility any longer than permitted under the law for a mentally ill or disabled child. The substitute requires that the plan manager be responsible for monitoring the competency plan. If the court finds that a juvenile will not become competent to stand trial the court may dismiss the delinquency petition. The court may order civil commitment proceedings, if appropriate, but not less than 60 days prior to the dismissal of the delinquency petition. The substitute allows the prosecuting attorney to seek civil commitment.
- Authored by: Rep. David Ralston
- Committee Action: Do Pass by Committee Substitute

** Committee action reports are edited for this report. For full content, please contact the House Committee Services Office at 404-656-3206. Bills passing committees are reported to the Clerk's Office and are then placed on the General Calendar for Rules Consideration.*

COMMITTEE MEETING BROADCAST SCHEDULE

TUESDAY, FEBRUARY 14, 2006

8:00 am Legislative & Congressional Reapportionment
606 CLOB

8:30 am Agriculture & Consumer Affairs
406 CLOB

8:30 am Special Rules
506 CLOB

9:00 am Rules Committee
341 CAP

1:30 pm Ethics Committee
132 CAP

2:00 pm Appropriations - General
515 CLOB

2:00 pm Appropriations - Public Safety
415 CLOB

2:00 pm Motor Vehicles
406 CLOB

3:00 pm Appropriations - Health
341 CAP

3:00 pm Information & Audits
403 CAP

3:00 pm Ways & Means
133 CAP

** For full agendas, please visit the General Assembly website, select House Committees. This meeting schedule is set as of 5:00pm today. Times and locations may change at the request of the Committee Chairman.*

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